

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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07-CV-6959 (DAB)

NOMINATION DI ANTONIO E PAOLO
GENSINI S.N.C.,

Plaintiff,

STIPULATION AND
[PROPOSED] ORDER

-v-

H.E.R. ACCESSORIES LTD., PAN OCEANIC
GROUP, LLC, RICHARD TERZI, HYMIE
ANTEBY, SAM ANTEBY, JACK ANTEBY,
CLAIRE'S BOUTIQUE'S INC., CLAIRE'S
STORES, INC., SOCORRO ECHEVERRIA,
d/b/a DEAL-IN MARKETING, AGC INC.,
THOSE CHARACTERS FROM CLEVELAND,
INC., AMERICAN GREETINGS
CORPORATION, ARTLIST INTERNATIONAL,
INC., ARTLIST INTERNATIONAL USA, INC.,
DIC I CORPORATION d/b/a DIC
ENTERTAINMENT CORPORATION, HEARST
HOLDINGS, INC., FLEISCHER STUDIOS,
INC., KING FEATURES SYNDICATE,
HOUGHTON MIFFLIN COMPANY,
UNIVERSAL STUDIOS LICENSING LLLP,
NINTENDO OF AMERICA, INC., JAMES K.
BENTON, SANRIO COMPANY, LTD., SANRIO
INC., VIACOM INTERNATIONAL, INC., JOHN
DOES 1-50 AND XYZ COMPANIES 1-50,

Defendants.

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The parties hereto, by and between the undersigned counsel, hereby stipulate as follows:

Defendants consent to plaintiff's filing, pursuant to Fed. R. Civ. P. 15(a), of its proposed
Second Amended Complaint and Jury Demand in this action naming Nomination S.R.L. and
Nomination USA, Inc., as additional plaintiffs to this action. A true and correct copy of the
proposed Second Amended Complaint and Jury Demand is attached hereto as Exhibit A.

All parties hereto, by the undersigned counsel, hereby further stipulate and agree that this
amendment of plaintiff's complaint shall not prejudice the motion to dismiss filed pursuant to

Fed. R. Civ. P. 12(b)(6) by certain defendants herein, which notion is currently *sub judice*. Such motion shall be deemed to have been made *nunc pro tunc* as to all claims asserted by all plaintiffs in the Second Amended Complaint against the moving defendants. No defendants that filed the aforementioned motion to dismiss shall be required to answer or otherwise respond to the Second Amended Complaint until the pending motion to dismiss is resolved. All other defendants that have previously served Answers to plaintiff's First Amended Complaint shall have ten (10) business days to serve their respective Answers from the date the annexed Second Amended Complaint is filed with the Court, following approval of this Stipulation by the Court.

Dated: February 7, 2008

LEVINE SULLIVAN KOCH & SCHULZ, LLP

By: 

Robert Penchina (RP 5866)
321 West 44th Street, Suite 510
New York, NY 10036
(212) 850-6100

*Attorneys for Defendants DIC I Corporation,
Hearst Holdings, Inc., Fleischer Studios, Inc.,
King Features Syndicate, Universal Studios
Licensing LLLP, Viacom International Inc. and
Houghton Mifflin Company*

DORSEY & WHITNEY LLP

By: 

Bruce R. Ewing (BE 0724)
250 Park Avenue
New York, NY 10177
(212) 415-9206

*Attorneys for AGC Inc., American
Greetings Corp., Those Characters From
Cleveland, Inc., Artilist International USA,
Inc., Nintendo of America, Inc., Sanrio, Inc.
and James K. Benton*

BUTZEL LONG

By: 

Robert D. Piliero (RP-6898)
Richard B. Brosnick (RB-0005)
380 Madison Avenue
New York, New York 10017
(212) 818-1110

*Attorneys for Plaintiff
Nomination di Antonio e Paolo Gensini, S.N.C.*

SO ORDERED:

U.S.D.J.

EXHIBIT A

As per the instructions of the Court, the voluminous Exhibit A attached to the Stipulation and [Proposed] Order was manually filed with the Court.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NOMINATION DI ANTONIO E PAOLO GENSINI
S.N.C.,

07 cv 6959 (DAB)

Plaintiff,

AFFIDAVIT OF SERVICE

v.

H.E.R. ACCESSORIES LTD., PAN OCEANIC
GROUP, LLC, RICHARD TERZI, HYMIE
ANTEBY, SAM ANTEBY, JACK ANTEBY,
CLAIRE'S BOUTIQUES INC., CLAIRE'S
STORES, INC., SOCORRO ECHEVERRIA, d/b/a
DELT-IN MARKETING, AGC INC., THOSE
CHARACTERS FROM CLEVELAND, INC.,
AMERICAN GREETINGS CORPORATION,
ARTLIST INTERNATIONAL, INC., ARTLIST
INTERNATIONL USA, INC., DIC I
CORPORATION d/b/a DIC ENTERTAINMENT
CORPORATION, HEARST HOLDINGS, INC.,
FLEISCHER STUDIOS, INC., KING FEATURES
SYNDICATE, HOUGHTON MIFFLIN COMPANY,
UNIVERSAL STUDIOS LICENSING LLLP,
NINTENDO OF AMERICA, INC., JAMES K.
BENTON, SANRIO COMPANY, LTD., SANRIO
INC., VIACOM INTERNATIONAL, INC., JOHN
DOES 1-50; AND, XYZ CORPORATIONS 1-50,

Defendants.

-----X
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Leana V. Lorenzana, being duly sworn, deposes and says:

1. I am over the age of eighteen years, and not a party to this action.
2. On February 8, 2008, I caused service of a true and correct copy of the parties' Stipulation and Proposed Order, dated February 7, 2008, along with plaintiffs' Second Amended Complaint on the defendants by Federal Express overnight delivery, at the following addresses:

Bruce R. Ewing, Esq.
Dorsey & Whitney, LLP
250 Park Avenue
New York, NY 10177-1500

*Attorneys for H.E.R. Accessories Ltd.; Artlist International USA, Inc.;
Pan Oceanic Group, LLC; Richard Terzi; Hymie Anteby; Sam Anteby;
Jack Anteby; Claire's Stores, Inc.; Nintendo of America; James K.
Benton; AGC Inc.; Those Characters From Cleveland, Inc.; Sanrio
Inc; American Greetings Corporation; and Claire's Boutique, Inc.*

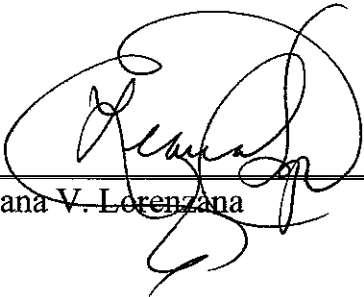
Robert Penchina, Esq.
Levine Sullivan Koch & Schulz, LLP
321 West 44th Street, Suite 510
New York, NY 10036

*Attorneys for Hearst Holdings, Inc.; Fleischer Studios, Inc.; King
Features Syndicate; Universal Studios Licensing LLLP; Viacom
International, Inc.; DIC I Corporation d/b/a DIC Entertainment
Company; and Houghton Mifflin Company*

Soccoro Echeverria d/b/a Dealt-In Marketing
295 Glazier Street
Culpeper, Virginia 22701-2026
Culpeper County

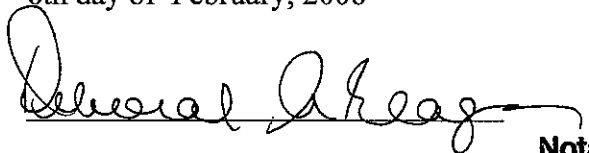
Artlist International, Inc.
5-25-7 Komazawa, Komazawa Parkside Terrace South 3F
Setagaya ward
Tokyo 154-0012 Japan

Dated: New York, New York
February 8, 2008



Leana V. Lorenzana

Sworn to before me this
8th day of February, 2008



DEBORAH A. REAGAN
Notary Public, State of New York
No. 01RE6095376
Qualified in Westchester County
Commission Expires July 7, 2011